

<b>Notice of Allowability</b>	Application No.	Applicant(s)
	10/813,438	OSHIO ET AL.
	Examiner James R. Scott	Art Unit 2832

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to papers filed 03/31/04; 06/18/04; 06/25/04; 06/28/04 and 08/10/04.
2.  The allowed claim(s) is/are claims 1-23.
3.  The drawings filed on 28 June 2004 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 20040618
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Guise on Tuesday November 16,2004.

#### **TITLE**

The title has been changed to read as:

**--Lockable Pushbutton Actuator For A Display Device Such As A Watch --**

#### **Cited References**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Japanese patent document constitutes prior art cited by applicants, which is discussed in the Background of the Invention of this IFW application. Piquerez discloses a rotatable and linearly operated watch stem assembly. Solov et al disclose a wristwatch push button device. Waki et al disclose a water resistant crown structure for electronic watches. Kaelin discloses a pushbutton actuator assembly mounted in a watchcase or portable body. Gallay teaches the use of a control rod and sleeve assembly including the rod and sleeve having a coupling arrangement to allow rotational and translational movement of the rod. Rieben teaches the use of a hermetic sealed pushbutton actuator used on a watch casing.

### Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

The prior art fails to teach the use of a pushbutton assembly mounted to a portable device including a button member having a shaft portion mounted in a manner that allows entry and exit with respect to the base, and an expanded-diameter portion with a shaft diameter that is larger than the diameter of the shaft portion including a ring member accommodating the shaft portion and capable of rotation about the axial center of the shaft portion with additional critical feature of a lock member moving along the axial center between the ring member and the shaft portion due to the rotation of the ring member, and restricting the entry and exit action of the shaft portion of the button member by coming into contact with the button member expanded-diameter portion . Furthermore the prior art does not teach the use of the fixed member of the base stopping movement of the ring member and thereby restricting the movement of the ring member along the axial center of the shaft portion.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### Summary

Claims 1-23 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James R. Scott whose telephone number is

(571) 272-1999. The examiner can normally be reached on weekdays (Monday-Friday) between 1-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin Enad can be reached on (571) 272-1990. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JRScott  
11/16/2004



James R. Scott  
Primary Examiner  
GAU 2832